

## **REMARKS**

This is a full and timely response to the Office Action of October 30, 2008.

Reconsideration and allowance of the application and all presently pending claims are respectfully requested.

Upon entry of this Response, claims 8-21 are pending in this application. Claims 8-11 and 14 are amended. Claims 1-7 are canceled. The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims. Applicants believe that no new matter has been added by the amendments and that a new search is not necessary.

## **CLAIMS**

### **Claim 8**

Claim 8 is rejected under 35 U.S.C. §102(a) as purportedly being anticipated by Choi (U.S. Patent Application 2002/0094496), as described in the Office Action.

Applicants traverse the 102 rejections in the Office Action and submit that the rejection of claim 8 under 35 U.S.C. §102 in view of Choi should be withdrawn because Choi does not teach, disclose, or suggest each and every feature of claim 8 above. In particular, Choi does not teach, disclose, or suggest that "...stamping the polymer material with the stamp mask to form a physical feature on the polymer layer caused by the at least one nano-indentation structure; removing the stamp mask; and curing the polymer material after the stamp mask is removed" as recited in amended claim 8. Choi teaches that the polymer material, a liquid, is cured while the template is disposed on the polymer material so that the polymer material can "harden and assume the shape of the space define by the gap" as noted on Page 4, paragraph [0082]. If the

template is removed prior to curing, the liquid polymer material would not form the shape of the space defined by the gap. Choi notes that the advantage of using a liquid is to eliminate the use of high temperatures and high pressures associated with prior art references (See, Page 4 paragraph [0085]). In addition, the Office states that the polymer of Choi is in an uncured plastic state, however, the polymer of Choi is not in a plastic state. Applicants request that if this rejection is maintained that the next Office Action specifically note where in Choi a plastic state of the polymer is disclosed. Thus, Choi clearly teaches away from amended claim 8. The other cited references do not cure these deficiencies. As a result, claim 8 is allowable over the cited references.

### **Claims 9-13**

Applicants traverse the §102 and 103 rejections in the Office Action. Applicants respectfully submit that pending dependent claims 9-13 include every feature of independent claim 8 and that the cited references fail to teach, disclose, or suggest at least the features of claim 8. Thus, pending dependent claims 9-13 are also allowable over the prior art of record. *In re Fine, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).*

Notwithstanding the reasons for allowance noted above, claim 10 is allowable for additional reasons. The cited references do not teach, disclose, or suggest, individually or in combination, that "curing the polymer material not exposed to the optical energy and; removing the at least one exposed area of the polymer material" as recited in claim 10, which is dependent upon claim 10. Choi teaches curing the polymer material exposed to the optical energy. Thus, for at least this reason claim 10 is allowable over the cited references.

#### **Claim 14**

Claim 14 is rejected under 35 U.S.C. §103(a) as purportedly being anticipated by Choi (U.S. Patent Application 2002/0094496) in view of Canavello (U.S. Patent 4,379,833), as described in the Office Action.

Applicants traverse the 103 rejections in the Office Action and submit that the rejection of claim 14 under 35 U.S.C. §103 in view of Choi and Canavello should be withdrawn because Choi and Canavello, individually or in combination, do not teach, disclose, or suggest each and every feature of claim 14 above. In particular, Choi does not teach, disclose, or suggest that "...stamping the polymer material with the stamp mask to form a physical feature on the polymer layer caused by the at least one nano-indentation structure; exposing the at least one directly exposed portion of the polymer material to optical energy...; removing the stamp mask; and curing the polymer material after the stamp mask is removed" as recited in amended claim 14. Choi teaches that the polymer material, a liquid, is cured while the template is disposed on the polymer material so that the polymer material can "harden and assume the shape of the space define by the gap" as noted on Page 4, paragraph [0082]. If the template is removed prior to curing, the liquid polymer material would not form the shape of the space defined by the gap. Choi notes that the advantage of using a liquid is to eliminate the use of high temperatures and high pressures associated with prior art references (See, Page 4 paragraph [0085]). In addition, the Office states that the polymer of Choi is in an uncured plastic state, however, the polymer of Choi is not in a plastic state. Applicants request that if this rejection is maintained that the next Office Action

specifically note where in Choi a plastic state of the polymer is disclosed. Thus, Choi clearly teaches away from amended claim 14. The Canavello and the other cited references do not cure these deficiencies. As a result, claim 14 is allowable over the cited references.

**Claims 15-21**

Applicants traverse the §102 and 103 rejections in the Office Action. Applicants respectfully submit that pending dependent claims 15-21 include every feature of independent claim 14 and that the cited references fail to teach, disclose, or suggest at least the features of claim 14. Thus, pending dependent claims 15-21 are also allowable over the prior art of record. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

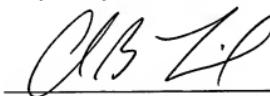
### **Conclusion**

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

In addition, any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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